

ORD. AMDT. 21, 08-09

**AMENDING CHAPTER 10 OF THE DANE COUNTY CODE ORDINANCES, CREATING A-4  
SMALL LOT AGRICULTURE DISTRICT**

The County Board of Supervisors of the County of Dane does ordain as follows:

ARTICLE 1. Unless otherwise expressly stated herein, all references to section and chapter numbers are to those of the Dane County Code of Ordinances.

ARTICLE 2. Section 10.129 is created to read as follows:

**10.129 A-4 SMALL LOT AGRICULTURE DISTRICT. (1) *Statement of purpose.*** The purpose of the A-4 Small Lot Agriculture District is to preserve agricultural and open space uses on zoning lots between five (5) and thirty-five (35) acres in size. It is intended that the district be applied to areas where non-agricultural development would be incompatible with agricultural uses, premature or inconsistent with adopted land use or comprehensive plans.

**(2) *Permitted uses.*** The following are permitted uses in this district:

**(a)** Agricultural uses. The keeping of livestock shall be limited to one (1) animal unit per each full acre.

**(b)** Utility services.

**(c)** Road side stands.

**(d)** Farm accessory buildings such as, but not limited to, silos, barns, sheds, livestock shelters or storage sheds for farm equipment that are accessory to a permitted agricultural use.

**(e)** Sale of unprocessed agricultural products produced on the farm.

**(f)** Farm related exhibitions, sales or events such as auctions, dairy breakfasts, exhibition of farm machinery and technology, agricultural association meetings and similar activities, occurring on five or fewer days in a calendar year.

**(3) *Conditional uses.*** The following uses require a Conditional Use Permit in this district:

**(a)** Governmental uses.

**(b)** Religious uses.

**(c)** Schools.

**(d)** The seasonal storage of recreational equipment and motor vehicles owned by private individuals, such storage to be in existing farm accessory buildings. The storage of a dealer's inventory or the construction of any new buildings for storage shall be considered a commercial use and subject to the provisions of this ordinance.

**(e)** Sale of agricultural and dairy products not produced on the premises and incidental sale of non-alcoholic beverages and snacks.

**(f)** Unlimited livestock on parcels over five (5) acres in size.

**(g)** Agricultural entertainment activities, not to exceed 45 days per calendar year in the aggregate, including incidental preparation and sale of beverages and food. For any such activities planned or anticipated to have attendance of more than 200 persons at any one time during a day, an event plan addressing parking, proposed days of operation, ingress and egress, sanitation and other public safety issues shall be filed annually with the zoning administrator, town clerk, servicing fire department, emergency medical service provider, Dane County Sheriff's Department and any local law enforcement agency for such agricultural entertainment activities, at least 30 days prior to the start of any agricultural entertainment activities in each calendar year.

**(4) *Building height limits.*** Building height limits shall be the same as those within the A-1 Exclusive Agriculture District.

**(5) *Area, frontage and population density regulations.***

**(a)** The minimum lot area shall be not less than 5 acres.

- (b)** The maximum lot area shall be not greater than 35 acres.
- (6)** *Setback requirements.* Setback requirements shall be the same as those within the A-1 Exclusive Agriculture District.
- (7)** *Side yard requirements.* Side yard requirements shall be the same as those within the A-1 Exclusive Agriculture District. [Side yards for accessory buildings, cages, or hives housing animals or insects shall be at least 100 feet from any residence (R) district.]
- (8)** *Rear yard requirements.* Rear yard requirements shall be the same as those within the A-1 Exclusive Agriculture District. [Rear yards for accessory buildings, cages, or hives housing animals or insects shall be at least 100 feet from any residence (R) district.]
- (9)** *General provisions applicable to the A-4 district.* In addition to the conditions provided for in sections 10.16(1) through (6)(a), the following additional conditions shall apply:
- (a)** Any farm accessory building that is located on a substandard parcel as defined herein and which is destroyed by fire, explosion, act of God or act of public enemy may be rebuilt in the same location, even though such location may not comply with the setback requirements of this section.
- (b)** The provisions of section 10.16(1)(b)1. pertaining to real estate offices do not apply to lands in this district.
- (c)** Any permitted or conditional use in the A-4 Agriculture District must be consistent with agricultural use as defined in s. 91.01, Wis. Stats.